

STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL
GOVERNOR

CRISTINE A. VOGEL
COMMISSIONER

March 14, 2005

Elizabeth Neuwirth, Esquire
Murtha Cullina LLP
Whitney Grove Square
P.O. Box 704
New Haven, CT 06503-0704

RE: CON Determination 05-30446-DTR
Mel Rosenblatt, M.D. d/b/a Connecticut Image Guided Surgery, P.C.
Proposal to Provide Vascular Access Surgery

Dear Attorney Neuwirth:

On March 2, 2005, the Office of Health Care Access ("OHCA") received your Certificate of Need Determination form for the provision of vascular access services by Mel Rosenblatt, M.D. d/b/a/ Connecticut Image Guided Surgery, P.C., at an associated capital expenditure of \$227,253.

OHCA staff has reviewed the CON Determination form pursuant to Section 19a-643-74 of OHCA's Regulations and has made the findings listed below:

1. Dr. Mel Rosenblatt, M.D., d/b/a Connecticut Image Guide Surgery, P.C. proposes to provide patients with vascular access procedures in a private medical office to be located at 501 Kings Highway East, Fairfield, Connecticut.
2. The procedures to be performed include assessing vascular flow, clearing blood clots and stenosis of patients who suffer from end stage renal disease and are undergoing chronic outpatient dialysis.
3. The office will have no operating room or designated surgical area, but does have a procedure room. Dr. Rosenblatt uses the procedure room to map diseased veins using ultrasound and treat certain vein disorders with a laser.
4. The procedures will be performed using minimal sedation. Minimal Sedation, as defined by the American Society of Anesthesiologists, is a drug-induced state during which patients respond normally to verbal commands. Although cognitive

function and coordination may be impaired, ventilatory and cardiovascular functions are unaffected.

5. The procedures to be performed are incidental to the work performed by Dr. Rosenblatt.
6. No facility fee will be charged.
7. The total estimated capital cost for the proposal is \$227,253.
8. Section 1(a) of Public Act No. 04-249, "An Act Concerning Regulation of Outpatient Surgical Facilities", states that an outpatient surgical facility does not include a medical office owned and operated exclusively by a person or persons licensed pursuant to section 20-13, provided such medical office: (1) has no operating room or designated surgical area; (2) bills no facility fees to third party payers; (3) administers no deep sedation or general anesthesia;(4) performs only minor surgical procedures incidental to the work performed in said medical office of the physician or physicians that own and operate such medical office; and (5) uses only light or moderate sedation or analgesia in connection with such incidental minor surgical procedures.

Based on these findings and pursuant to Public Act No. 04-249, OHCA has determined that CON approval is not required for Dr. Mel Rosenblatt, M.D., d/b/a/ Connecticut Image Guided Surgery, P.C. to provide vascular access procedures to his patients in his medical office to be located at 501 Kings Highway East, Fairfield.

If you have any questions concerning the above, please feel free to contact Laurie Greci, Associate Research Analyst, at (860) 418-7032.

Sincerely,

Signed by Cristine A. Vogel
Commissioner

CAV:lkg